



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

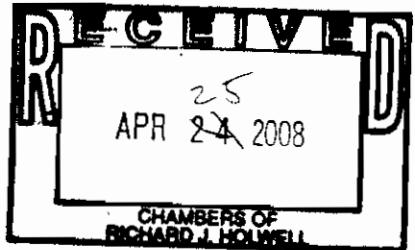
ANDREW M. CUOMO
Attorney General

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

April 25, 2008

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

Via Fax (212)805-7948
Hon. Richard J. Holwell
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: Clarke v Cooke,
07CV8833(RJH)(FM)

Dear Judge Holwell:

This letter written on behalf of defendants, Corrections Officer Dawn Butler and Catherine A. Cook, former Superintendent at Bayview Correctional Facility ("Bayview"), respectfully to request until May 30th to respond to the pro se Section 1983 complaint by way of answer or motion to dismiss. Defendant Cook is currently the Superintendent at Otisville State Correctional Facility. Plaintiff is incarcerated in Albion Correctional Facility and alleges, among other things, that she was subjected to excessive use of force during an incident at Bayview on March 9, 2007.

Our records reflect that defendant Butler was served with the complaint on April 2, 2008 and Superintendent Cook was served on April 3rd. Both defendants are represented by our office. We are requesting until May 30th to respond to the complaint to allow our office to confer with our clients and obtain and review records from the New York State Department of Corrections ("DOCS") so that we may determine the appropriate response on behalf of our clients. Moreover, defendant Cook is on a training assignment at Willard Correctional Facility until May 16th. No previous requests have been made concerning the response date. I did not obtain plaintiff's consent prior to making this application because she is incarcerated.

*Application Granted
so ORDERED*

RJH
APR 25 2008 11:19
SAC

120 Broadway, New York, N.Y. 10271-0332 • Phone (212) 416-8610 • Fax (212) 416-8675 • Not for Service of Papers
http://www.oag.state.ny.us

P.20

SAC

APR-25-2008 11:19

Hon. Richard J. Holwell
United States District Judge
Southern District of New York

April 25, 2008

Page Two

Respectfully submitted,

Donald Novye
Assistant Attorney General
(212) 416-8227

c. Chandrica Clarke
Plaintiff pro se
06G0560
Albion Correctional Facility
3595 State School Road
Albion, New York 14411